

CHAPTER NO. 116

HOUSE BILL NO. 785

By Representative Briley

Substituted for: Senate Bill No. 274

By Senators Haynes, Williams

AN ACT to amend Tennessee Code Annotated, Title 47 and Title 56, relative to prohibiting forms or contracts waiving certain rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 7, is amended by adding the following as a new, appropriately designated section:

47-18-7__.

(a) No seller shall use a form or contract in providing goods or services that purports to waive a buyer's right to obtain:

- (1) Punitive damages;
- (2) Exemplary damages;
- (3) Treble damages; or
- (4) Attorney's fees.

(b) Any form or contract containing a prohibited provision as described above shall be deemed unconscionable and unenforceable as to such provision.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.

PASSED: April 12, 2001

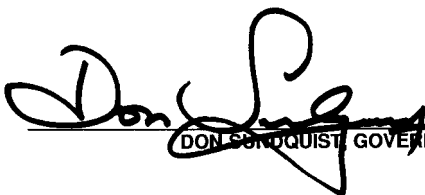


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of April 2001



DON SUNDQUIST, GOVERNOR